



**SUMMARIZED MINUTES
CITY OF SCOTTSDALE TRANSPORTATION COMMISSION
REGULAR MEETING
THURSDAY, JANUARY 17, 2008
KIVA - CITY HALL
3939 N. DRINKWATER BLVD.
SCOTTSDALE, ARIZONA 85251**

CALL TO ORDER

Chair Davis called the regular meeting of the Scottsdale Transportation Commission to order at 6:03 pm.

1. ROLL CALL

PRESENT: Brian Davis, Chair
Kelly McCall, Vice-Chair
Mark Gilliland, Commissioner
William Howard, Commissioner
Donald Maxwell, Commissioner
Josh Weiss, Commissioner

STAFF PRESENT: Dave Meinhart, Transportation Planning and Transit Director
Rose Arballo, Transportation Commission Coordinator
Teresa Huish, Principal Planner
Reed Kempton, Senior Transportation Planner
Lorraine Protocollo, Administrative Secretary

ALSO PRESENT: Alex McLaren, HDR

SPEAKERS DURING PUBLIC COMMENT (IN ALPHABETICAL ORDER):

Laura Fogelman
Sandra Goldenberg
Ivan Hofmann

Richard Rumer
Sharon Smoot
Leon Spiro

2. Public Comment

None.

3. Approval of Meeting Minutes

- Study Session of the Transportation Commission - December 20, 2007
- Regular Meeting of the Transportation Commission - December 20, 2007

Chair Davis requested that the words "grant money" on page 9, be changed to "funding."

VICE CHAIR MCCALL MOVED TO APPROVE THE MINUTES OF THE STUDY SESSION AND REGULAR MEETING OF DECEMBER 20, 2007 AS AMENDED. COMMISSIONER HOWARD SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

4. **Review of Hidden Hills Bicycle/Non-Motorized Easement**

Mr. Kempton reviewed recent developments on the Hidden Hills easement. In September, residents of the Hidden Hills neighborhood contacted staff expressing their concern about speeding bicyclists on the roadway. They provided a petition in November, asking the City to abandon the easement. The Transportation Commission is being asked to work through the process of discovering what the City's options are.

In 1982, Via Linda was placed on the General Plan as a connection to Fountain Hills. In 1989, the Transportation Commission determined it was inappropriate to have bicycle lanes on Shea Boulevard, and identified Via Linda as an alternative. In 1992, the Shea Boulevard study identified Via Linda as a four-lane major collector and a connector to Fountain Hills as a reliever to Shea.

In 1999, the Hidden Hills 1 and 2 residential areas were approved along Via Linda and the Via Linda right of way was dedicated to the City. In 2000, the City abandoned the Via Linda right of way east of 145th Way and identified it as an emergency and non-motorized access easement. There was a long public process between the developer and the City, and a number of tradeoffs were made. One of the tradeoffs was that 145th Way would be identified as a public bicycle connection to Fountain Hills.

In 2005, Hidden Hills' residents contacted the City to express their concerns about the cyclist activity. Several citizen bicycle groups made an outreach effort to talk to cyclists, who seemed amenable to becoming better neighbors. The big concerns at the time were the speed of cyclists going downhill, the tailgating of motorists, and large groups congregating in the cul-de-sac at the top of the hill.

Mr. Kempton presented text from the final plat that described the easement:

"The intent and effect of the easement is to provide the public permanent, unrestricted bicycle and non-motorized access from and between the existing Via Linda right of way, through and upon all of Tract A"

Essentially, Mr. Kempton went on to explain, Tract A includes all the streets in the neighborhood, and the easement occurs only on 145th Way. It is a direct connection from the existing public Via Linda, to the future Fountain Hills connection. The plat also clarified that the community could put in gates, as long as those gates did not impede bicycle traffic. He showed a series of photographs illustrating features of the roadway, which runs for 8/10 of a mile.

145th Way is currently identified as the non-Shea bicycle connection to Fountain Hills. It is a private gated street with no through traffic. The top of the hill connects with Fountain Hills through undeveloped private property. It features a steep grade that is very appealing to cyclists, and use of the street has increased significantly since completion of construction in the last two years. The Town of Fountain Hills has requested that the easement remain in place, and has indicated that they plan on requiring a developer to provide the same type of easement in their community. Based on state law, Scottsdale Police can not enforce any

type of traffic infractions on private streets. The City also cannot install traffic calming devices on a private street, but there could be a way to work with the HOA on a solution.

Commissioner Maxwell inquired what the Scottsdale Trail System was. Mr. Kempton responded that Council adopted the Trails Master Plan in 2004. This alignment was identified in that trail plan. He added that it would be the responsibility of the HOA to enforce the speed limit there.

Vice Chair McCall suggested the street could be treated in a way that could be very uncomfortable for the bicyclists to ride on if they were going too fast. Parking could be restricted to one side of the street, allowing the other side to be used as a multi-use trail. Mr. Kempton said there are street treatments that have been successful in other neighborhoods and could be appropriate in this area. The speed tables have to be negotiated at 20 mph in order to prevent discomfort to the cyclist.

Commissioner Maxwell inquired what the City of Scottsdale street standard is for bicycles. Mr. Meinhardt responded that the City does not have a separate standard for maintenance of roadways for bicycle use.

Chair Davis invited public commentary.

Ivan Hofmann, 12292 145th Way, said he has been a resident since 2005. As a bicyclist, he has some sympathy for those that want to use the road. The majority of the bicyclists respect the neighborhood and laws, but some abuse it. At certain times, large groups use the road, and there have been numerous near misses with bicyclists. He asked that the easement be discontinued through 145th Way, if possible.

Sandra Goldenberg said the road is a narrow private road that is not designed to handle the type of bicycle traffic that currently exists. It is hard for motorists to see them coming. Most obey the rules and those that do not, travel at an excessive speed and veer around cars. There have been close calls with pedestrians and three accidents have occurred resulting in the hospitalization of the cyclists.

Residents were told that the City could provide no assistance on the design and implementation of traffic slowing devices. The Sheriff's Department has also indicated that it would not enforce traffic regulations on the private street. Experience has shown that public outreach has not been effective. If residents were allowed to re-align the gates, it would require the bicyclists to dismount and walk.

The purpose of the easement was to provide a connection between Fountain Hills and Scottsdale for commuters. It will be years before the adjacent property is developed and a connection established. Their situation degrades quality of life, and there is a financial burden to maintain a private road for a public purpose. Many residents also do not want speed bumps.

Richard Rumer, Chairman of the Coalition of Arizona Bicyclists, said Shea Boulevard is not a good road for bicyclists as traffic volume and speeds are too high. He urged that the easement be kept open. Gated communities create barriers between communities. Scottsdale has been a good city for bicyclists, and it should stay that way. There has been friction between bicyclists and residents, but the problems go both ways. Some motorists have acted inappropriately as well. The Coalition is willing to assist by mitigating problems through education and outreach.

Laura Fogelman said she lives in Hidden Hills, but not directly on 145th Way. She knew about the easement when she purchased her home, but did not anticipate that the bicyclists would come onto the side streets as well. They often draft cars, pass them on the left, and some will respond obscenely to requests from residents to slow down. She understands why the easement was developed, but the amount of traffic was not anticipated. There are numerous safety hazards, and the community could be held liable if an accident happens. Many children walk to and from the bus stop, and some bicyclists do not use caution near them. She urged the City to explore the possibility of extending the bike path on Shea Boulevard to Fountain Hills.

Sharon Smoot, 12443 N. 145th Way, said she lives on the corridor where bicyclists speed down the hill. She described narrowly avoiding a collision when pulling out of her driveway. There will be a bad accident at some point, and a bicyclist will be the victim, unless something is done.

Chairman Davis read comments from the non-speaking cards. Ralph Goldenberg, of Hidden Hills, wrote that the City should review the decision to require a bicycle easement on 145th Way in return for permitting the development. The easement was intended for commuters, not sports cyclists. A through street will not exist for many years.

Nancy Johnson of Hidden Hills wrote that residents are not against the idea of the easement being used as a connector road, but it instead is used as a training ground. Cyclists, in groups as large as 60 members, go down 145th Way at over 40 mph causing safety problems.

Commissioner Maxwell said he understands the use of bicycle paths to get from one place to another, but this street seems to be misused as a training ground. It seems wrong that school buses are being ignored and nobody can enforce it. The HOA may have to self-finance security in order to enforce the rules, or have the plat amended. There is the potential for serious injury.

Vice Chair McCall disagreed with Commissioner Maxwell, saying that the right to use a road is not limited to one specific purpose. Bicyclists use streets all the time for training. It is part of a cyclist's activity and there is nothing wrong with it. Shea Boulevard is not an option for bicyclists, and likely never will be, leaving Via Linda as the only one. In the future, when the road into Fountain Hills is finished, the purpose of the easement will make sense. Instead of trying to punish residents or cyclists, both sides should be brought together to reach an equitable solution.

Commissioner Maxwell said this situation is unique, because it is a private road with houses on both sides leading to a cul-de-sac. He found it hard to imagine that the City intended the road to be used as a training facility at the time the easement was approved.

Commissioner Howard inquired whether a basis could be established for a cooperative effort between the City and the HOA. Mr. Meinhart clarified that it would not be possible for the City to do the design and construction work on a private street, but the Legal Department is looking at creating a development agreement between the Council and the neighborhood that would allow some financial and technical resources to be provided. Anything that changes the existing conditions must go through a process involving the Planning Commission, which is the only body that can recommend abandoning easements.

Commissioner Howard inquired when staff would be prepared to offer suggestions for how to proceed. It seems that a combination of structural and educational measures is necessary. Mr. Meinhart said the outreach could begin very quickly. A formal recommendation might be available in February or March.

Commissioner Weiss clarified that the Police Department cannot respond to misdemeanor offenses on a private road, but should there be criminal activity, they could. The developer and the HOA initially decided to put up the gate and make it a private street. He noted that the residents seem to be comfortable with the use of their street by bicyclists as long as it is being used in the right way. There seems to be a willingness to find a compromise.

Mr. Kempton noted the example of the no cruising ordinance at Metrocenter in Phoenix, and suggested that a similar ordinance could be applicable to this location.

Vice Chair McCall noted that accessibility problems could develop if the gate was modified too severely. Mr. Kempton responded that the cyclists are not speeding where the gate is, as they have to slow down to make the zigzag maneuver. Modifying the gates would have little impact on the speeding problem further up the hill.

In response to Chair Davis, Mr. Meinhart explained that the Police Department's enforcement policy is determined by interpretation of the State statutes. The Legal Department is looking to clarify what level of traffic offense translates from a violation into a crime. Chair Davis said something should be done besides more outreach. Abandoning the easement would only be the last resort.

Mr. Kempton, in response to Chair Davis, explained that school buses stop on the public street outside the gated community. The Police Department could address that issue.

5. Transportation Master Plan Implementation Program

Mr. McLaren noted that staff refined the ranking of capital projects based on Council input regarding intersection improvements and concentrating on the downtown and Airpark areas. The projects have been reorganized from the geographical areas breakdown to topic areas. Streets, and pedestrian and bicycle projects have been kept separate. The projects being considered at this meeting are distinct and different from the ones that are included in the five-year capital improvement program and are based on the 2030 transportation model.

One of the issues to consider is the policy element recommending that one-third of the CIP program is committed to transit and alternate modes. The Commission will compare the costs generated by the programs to the available revenue, and come up with funding scenarios for the remainder. Currently, the transportation tax generates approximately \$21 million annually, which is generally split 50/50 between capital improvements and operations. Proposition 400 also provides funds amounting to \$589 million through 2025. There are approximately \$2 million in Federal funding grants available annually.

Mr. McLaren explained that the list of projects starts in 2009 and extends to 2030. They are broken into short-term, mid-term and long-term phases. The earlier the project is listed, the higher its priority. For 2009 to 2012, the Commission should consider how to balance the existing five-year program with the new projects in the list. The estimated costs are broken down into planning and design, right-of-way, and construction.

There are 47 roadway and intersection capacity improvement projects, totaling approximately \$490 million over 22 years. The streets program includes traffic signals, ITS,

transportation demand management, intersection mobility enhancement, and neighborhood traffic programs, and totals \$135 million over 22 years. The bicycle and pedestrian programs include streetscaping and rightsizing, and total \$200 million. The next steps are to finalize the prioritization criteria, compare the project list against the revenue forecast, and identify funding options. The goal is to have these steps completed by spring of 2008 to be in conjunction with the five-year CIP.

Mr. McLaren summarized the projects in the table. The priority roadway capacity projects include improvements to the Hayden Road intersections with Camelback Road and Chaparral Road, and the Frank Lloyd Wright/Loop 101 interchange.

Commissioner Gilliland said notation or a brief description is needed to identify the scope of each project, rather than just a name. A project name may not be apparent to many people as to what an intersection improvement is.

Vice Chair McCall said the descriptions should actually be included in the Transportation Master Plan. Mr. Meinhart responded that not every project is specifically called out in the Transportation Master Plan, especially in the streets area. That could affect how prioritization of some improvements is determined. He suggested there could be some linkages back to the Transportation Master Plan to illustrate where the ideas are coming from, but he would not recommend amending the Plan to include them. Ms. Huish added that the Transportation Master Plan has an implementation section that will list all of the projects and that more detail can be provided there.

Chair Davis inquired about the relatively low priority given to the Hayden Road and Thomas Road intersection improvements. It seems like a more important project than that. Mr. McLaren explained that the projects were staggered to avoid having all the intersections being worked on at the same time.

Commissioner Weiss urged that the streetscapes be made a priority. They create the ambiance and pride that Scottsdale residents have come to expect from their city. In response to Commissioner Weiss' inquiry regarding Regional Transportation Plan (RTP) monies, Mr. Meinhart explained that Prop 400 money is allocated in the Regional Transportation Plan to specific projects. The allocation can be changed. However, it would have to undergo an extensive review process and there would have to be a good reason for it. For instance, the money that had been earmarked for the airport tunnel can be spent on other projects in the same area that address the same general problem. The Thunderbird/Raintree Loop would be identified as one of the possible solutions as an alternative to the airport tunnel. Money for the project is expected to be available from 2016 to 2020.

Commissioner Weiss said he understood why Redfield Road may need to be widened before the other options, but he expressed concern that the Thunderbird/Raintree loop option would be pushed out too far in the future. If MAG is going to allow the money to be used for that purpose, it may alter the decision whether to widen Redfield Road. Some projects may not be necessary if certain other projects happen. For instance, the Thunderbird/Raintree Loop project would negate the need to spend money widening Hayden Road from Redfield Road to Raintree.

Vice Chair McCall requested clarification on the details of certain programs. Mr. Meinhart explained that the streetscape improvements are an attempt to make non-arterial, half-mile streets into good bicycle and pedestrian corridors to connect as many paths as possible.

They are not intended for traffic calming. They include improved landscaping, shading, sidewalks and defined bike lanes.

Mr. Meinhart explained that the Scottsdale Road streetscape project is considered a separate project. Funding sources include some transportation tax money, some Federal grant money, and City Bond 2000 money intended for aesthetic improvements on the Scottsdale corridor. The majority of the project is being addressed through the current five-year capital program.

Vice Chair McCall felt it was important to make sure that all projects that had been mentioned in the past were included on the table. Mr. Meinhart updated the status of individual streetscape projects that Vice Chair McCall was concerned with. He also explained that the list represents projects that extend beyond what has been identified as part of the five-year CIP plan. Additionally, some of the projects previously on the five-year plan have been included on the table because there was not enough funding available.

Mr. Meinhart invited the Commission to discuss whether the construction of general purpose lanes on the 101 freeway should occur immediately following the completion of the HOV lanes, or would it be better to allow a couple of years to pass before starting on another construction phase.

He explained that freeway projects could be accelerated by a number of years by having the City cover the finance costs associated with building it sooner than what Prop 400 stipulates. ADOT would reimburse the City when the Prop 400 money for that project becomes available. To cover eleven years, the City would need to finance \$91 million for the freeway segment from Shea Boulevard to the Loop 202, and \$51 million for the segment from Shea Boulevard to Scottsdale Road.

Commissioner Howard said the congestion problem would be much greater if it was held for a later date. That is the trade-off to consider---How much time does the HOV lane buy?

Commissioner Gilliland said as desirable as having extra capacity as soon as possible is, it would be hard to imagine additional construction coming immediately on the heels of the HOV lane additions. It may make more sense to wait until the HOV lanes are completed to see how well they work. It would help the public understand the needs before a formal request is made to MAG to accelerate more construction projects. Vice Chair McCall said the downside is that people will get a taste of better traffic flow, only to have it taken away again.

Mr. Meinhart explained that multi-use path/roadway re-striping projects have not been listed individually in the table, but entries show the amount of funding available for such projects on an annual basis. He felt that some of the bigger projects could be split out into individual timetables, to let the community know when some of the trail improvements would be going in. Vice Chair McCall agreed that would be a good idea.

Chair Davis said the cost of the proposed projects averages about \$38 million and seems to be more than what the City has available. Mr. Meinhart responded that the financial side of the proposal would be discussed on its own at a future meeting. He reminded Chair Davis that there would be a sizeable amount of Prop 400 money to be factored in. Historically, between bonds and taxes, the City has had \$25 million per year available.

Chair Davis inquired if there has been any thought to establish an independent funding source for transit operations apart from the transportation tax. Mr. Meinhart responded it is much easier to do bonding for capital projects than it is for operations, but it is one possibility to look at.

6. **Other Transportation Projects**

Mr. Meinhart updated the Commission on current capital projects. The freeway frontage road on the north side of the freeway from Scottsdale Road to Hayden Road is well under construction. It has been delayed slightly due to rain, but should be finished by the end of February.

A second bridge on Bell Road at Reata Pass Wash is closing in on construction. The Cross Cut Canal corridor path improvements from McDowell Road to Thomas Road are almost finished.

Vice Chair McCall inquired about Cactus Road. Mr. Meinhart said construction is going well along on section from 96th Street to Frank Lloyd Wright Boulevard. Construction from 90th Street to 96th Street will probably begin around April or May of this year.

7. **Public Comment**

Leon Spiro, 7814 E. Oberlin Way, said the approved neighborhood circulation program is a mess. He presented documentation showing how City code requirements were violated when the neighborhood local street plans were made. His repeated attempts to get a response from the Transportation Department and City Council have been ignored. Mr. Spiro used maps to illustrate how road segments in the circulation plan create block and cul-de-sac lengths greater than were stipulated at the time, and described the problems they cause. He called on the Commission to convince the Council and the Transportation Department to fix the flawed circulation plans in his quarter section.

8. **Identification of Future Agenda Items**

Vice Chair McCall requested a presentation on ITS. Lots of money has been spent in that area and she wants to know how it has impacted traffic flow, congestion, event traffic, and incident management. She also suggested the Commission receive a yearly update on upcoming State legislation in the area of transportation.

Commissioner Gilliland suggested an annual review of the goals and missions that the Commission is tasked with. Mr. Meinhart said the decision was made to hold off on formalizing changes to the ordinance related to Commission responsibilities until after completion of the Transportation Master Plan.

9. **ADJOURNMENT**

With no further business to conduct, Chair Davis adjourned the regular meeting at 9:25 p.m.

SUBMITTED BY:

A/V Tronics, Inc.

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